

<p style="text-align: right;">Page 22</p> <p>1                   <b>M. Alcantara</b>  2           A. No.  3           Q. When you worked at the garages at 155  4           or 145, did you work with any other employees on  5           your shift?  6           A. Sometimes one person worked.  7           Sometimes two. At 145, only two people worked.  8           Q. What about at 155, how many --  9           A. I've even worked alone at 145. At 155  10          two of us worked, and sometimes three.  11          Q. How often would you work by yourself at  12          145?  13          A. I only worked there alone twice.  14          Q. Have you ever paid another employee to  15          work a shift for you?  16          A. No.  17          Q. Has an employee ever paid you for  18          working a shift for them?  19          A. No. Not even.  20          Q. In this lawsuit, what is it that you're  21          claiming you were not paid for?  22          A. First of all, they haven't paid me a  23          lunch hour. One hour for every day that I worked  24          that they used to take away.  25          Q. Are you claiming that you weren't paid  TSG Reporting - Worldwide                   877-702-9580 </p>	<p style="text-align: right;">Page 23</p> <p>1                   <b>M. Alcantara</b>  2           <b>for anything else other than your lunch hour?</b>  3           A. No, they did not pay me. And also  4           according to law, after you work 10 hours they're  5           supposed to pay one hour additional. They didn't  6           pay that either. I always worked 12 hours.  7           Q. Other than the lunch hour, and the  8           extra hour after working 10 hours, are there any  9           other hours of time that you're claiming you  10          weren't paid for in this case?  11          A. The extra hours worked after 40 hours a  12          week. I only received 15 to \$20 to compensate for  13          that -- cash. Besides the check. The other hours  14          were paid regular.  15          Q. Were you paid at least minimum wage for  16          the first 40 hours that you worked each week?  17          A. Minimum wage.  18          Q. Did there come a time when your work  19          schedule was reduced to 48 hours a week?  20          A. I don't remember whether it was three  21          or four days that I worked. Up to 48 hours.  22          Q. Was there ever a time that your regular  23          schedule for each week was decreased to 48 hours  24          per week?  25          A. That only happened for one or two weeks  TSG Reporting - Worldwide                   877-702-9580 </p>
<p style="text-align: right;">Page 24</p> <p>1                   <b>M. Alcantara</b>  2          that they reduced my hours. I believe they  3          reduced it because I complained about the hour.  4          It was like a punishment.  5          Q. When was it that your hours were  6          reduced to 48 hours?  7          A. That's when I was working. One time I  8          called Pablo before I left. I called him to  9          explain to him that I was -- I was claiming the  10         hours that they owed me. And he told me he was  11         going to speak to Sam about it, but that they were  12         in no condition to pay those extra hours.  13          Q. In what year did you make this  14          complaint?  15          A. I always complained about it, but it  16          seems that at the end they punished me and lowered  17          my hours.  18          Q. Your hours were lowered to 48 hours for  19          only two weeks -- one to two weeks?  20          MR. FAILLACE: Objection. Already  21          answered.  22          A. One or two weeks, yes.  23          Q. Did your hours increase after those two  24          weeks to more than 48 hours a week?  25          A. Then I started working regular, yes.  TSG Reporting - Worldwide                   877-702-9580 </p>	<p style="text-align: right;">Page 25</p> <p>1                   <b>M. Alcantara</b>  2          <b>Q. In what year was it that your hours --</b>  3          <b>that for two weeks you worked 48 hours?</b>  4          A. 2006. That was like to placate me.  5          Q. Immediately prior to your employment  6          terminating in October of 2006, were you still  7          working the seven p.m. to seven a.m. shift?  8          A. Can you repeat the question?  9          Q. I will rephrase. In October 2006 right  10         before your employment terminated, what was your  11         shift?  12          A. Seven to seven.  13          Q. Did you ever leave the work premises  14          during a shift?  15          A. I never left my job.  16          Q. Did you ever take a break to eat a meal  17          during your shift?  18          A. Never took a break. I was always busy.  19          Q. Did you ever see any of the other  20         employees take a break during the shift?  21          A. No. We were always taking care of the  22         vehicles. Whether it be giving them in, or  23         bringing them in -- receiving them, or giving them  24         back. Cleaning the bathroom, garage area. It was  25         always busy. The parking lot where we were  TSG Reporting - Worldwide                   877-702-9580 </p>

<p>1 M. Alcantara  2 thing. He would tell me he was going to speak to  3 Sam. And nothing. I said to myself, what's going  4 on here? I'm working, working, working. And very  5 little money is being paid. And any time they  6 called me to cover someone, I would go. I could  7 have had a headache or anything and I would go. I  8 never told them no. I always covered wherever  9 they asked me to.</p> <p>10 Q. How often would you cover a shift other  11 than your scheduled seven p.m. to seven a.m.  12 shift?</p> <p>13 A. There are people that are always out  14 late, or they don't come to work. Irresponsible  15 people. Not everyone is the same. And the one  16 that doesn't stay out of work is the one that  17 always has to go. That's the one that always pays  18 the consequences.</p> <p>19 Q. My question is not why did you work an  20 extra shift. My question is, how often did you  21 cover a shift for somebody else?</p> <p>22 MR. FAILLACE: He already told you  23 the number of times.</p> <p>24 A. That happened occasionally. That  25 wasn't all the time. That was on emergency cases.</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p>Page 30</p> <p>1 M. Alcantara  2 Q. How many times in a year would that  3 happen?</p> <p>4 A. I couldn't tell you how many times in  5 one year. I don't know.</p> <p>6 Q. Other than working a seventh day, which  7 we have already talked about, or waiting for  8 someone else to arrive at your garage at the end  9 of your shift, were there any other times that you  10 would be working other than your regular seven  11 p.m. to seven a.m. shift?</p> <p>12 A. Sometimes if I had to wait for my  13 relief for a couple of hours, Raj would call me  14 and ask me to wait until then.</p> <p>15 Q. Did you keep your paycheck stubs?</p> <p>16 A. Yes.</p> <p>17 RQ MS. WHITE: Call for the production  18 of paycheck stubs for Mr. Alcantara.</p> <p>19 MR. FAILLACE: As soon as we get  20 them done, we'll get them to you.</p> <p>21 Q. Did you keep a record of how much cash  22 you received a week?</p> <p>23 A. When you say "paychecks," you mean the  24 part of the check?</p> <p>25 Q. Yes.</p> <p>TSG Reporting - Worldwide 877-702-9580</p>
<p>Page 32</p> <p>1 M. Alcantara  2 MS. WHITE: Can you read back my  3 last question?  4 (Record read.)</p> <p>5 A. No.</p> <p>6 Q. Did you declare the cash on your income  7 tax form?</p> <p>8 A. No.</p> <p>9 Q. Did there come a time when you stopped  10 receiving cash and you only received a paycheck?</p> <p>11 A. Yes.</p> <p>12 Q. When was that?</p> <p>13 A. I don't remember exactly. I know it  14 was in 2006, but I don't remember exactly when.  15 I don't remember exactly.</p> <p>16 Q. Was it early in 2006?</p> <p>17 A. I'm not sure exactly.</p> <p>18 Q. Do you recall was it in the first half  19 of the year of 2006?</p> <p>20 MR. FAILLACE: Objection. He  21 already said he doesn't remember.</p> <p>22 A. Something like that. I don't remember  23 exactly.</p> <p>24 Q. Did there come a time when you started  25 being paid for your lunch hour?</p> <p>TSG Reporting - Worldwide 877-702-9580</p>	<p>Page 33</p> <p>1 M. Alcantara  2 A. Then they started paying the 60 hours  3 completely on the check.</p> <p>4 Q. Was that approximately the same time as  5 you stopped receiving cash?</p> <p>6 A. Yes.</p> <p>7 Q. Did you receive time and a half for the  8 hours that you worked over 40 hours a week when  9 you stopped receiving cash?</p> <p>10 A. Yes.</p> <p>11 Q. So is it your testimony today that at  12 approximately the time when you stopped receiving  13 cash in 2006 from that point forward you were paid  14 for your lunch hour, and you were paid time and a  15 half for any overtime over 40 hours a week?</p> <p>16 A. Lunch hour, no, because we weren't  17 taking lunch.</p> <p>18 Q. But you were being paid for all hours  19 that you would work?</p> <p>20 A. That's when they started paying us the  21 complete hours.</p> <p>22 Q. Did you ever take any business  23 documents from any of the garages?</p> <p>24 A. No.</p> <p>25 Q. Why did you stop working at the garages</p> <p>TSG Reporting - Worldwide 877-702-9580</p>